



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
"Dedicated to making Florida a better place to call home"

JEB BUSH
Governor

Thaddeus L. Cohen
Secretary

MEMORANDUM

TO: Jim Quinn, DEP
Susan Harp, DOS
Wendy Evans, AG
Mary Ann Poole, FWC
Gary Donn, FDOT 6
Carolyn A Dekle, South Florida RPC
P.K. Sharma, South Florida WMD

Date: August 15, 2006

Subject: Proposed Comprehensive Plan Amendment Review Objections,
Recommendations and Comments Reports

Enclosed are the Departments Objection, Recommendations and Comments Reports on the proposed amendments to the comprehensive plan(s) from the following local government(s):

Miami Dade 06-2

These reports are provided for your information and agency files. Following the adoption of the amendments by the local governments and subsequent compliance review to be conducted by this agency, we will forward copies of the Notices of Intent published by each local government plan.

If you have any questions, please contact Mr. Ray Eubanks at Suncom 278-4925 or (850) 488-4925.

RE/ts

Enclosure

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THADDEUS L. COHEN, AIA
Secretary

August 14, 2006

The Honorable Carlos Alvarez
Mayor, Miami-Dade County
111 N.W. 1st Street
Miami, Florida 33128

Dear Mayor Alvarez:

The Department has completed its review of the proposed Comprehensive Plan Amendment for the Miami-Dade County (DCA No. 06-2), which was received on June 14, 2006. Copies of the proposed amendment have been distributed to appropriate state, regional, and local agencies for their review and their comments are enclosed.

The Department has reviewed the comprehensive plan amendment for consistency with Rule 9J-5, Florida Administrative Code (F.A.C) and Chapter 163, Part II, Florida Statutes (F.S.) and has prepared the attached Objections, Recommendations, and Comments (ORC) Report which outlines our findings concerning the comprehensive plan amendment. The issues identified in the report concern the availability of potable water supply for the proposed future land use map amendments and their impacts on public schools.

If you have any questions about this ORC report or the Department's position, please contact Paul Darst, Principal Planner, at (850) 922-1764.

Sincerely,

Roger Wilburn
Regional Planning Administrator

RW/pds

Enclosures: Objections, Recommendations and Comments Report
Review Agency Comments

cc: Ms. Diane O' Quinn Williams, Director, Department of Planning and Zoning
Ms. Carolyn A. Dekle, Executive Director, South Florida Regional Planning Council

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DEPARTMENT OF COMMUNITY AFFAIRS
OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT
FOR
MIAMI-DADE COUNTY
AMENDMENT 06-2

August 14, 2006
Division of Community Planning

This report is prepared pursuant to Rule 9J-11.010, F.A.C.

Introduction

The following objections, recommendations and comments are based upon the Department's review of the Miami-Dade County 06-2 proposed Comprehensive Plan Amendment pursuant to Section 163.3184, F.S.

Objections relate to specific requirements of relevant portions of Chapter 9J-5, F.A.C., and Chapter 163, Part II, F.S. Each objection includes a recommendation of one approach that might be taken to address the cited objection. Other approaches may be more suitable in specific situations. Some of these objections may have been raised initially by one of the other external review agencies. If there is a difference between the Department's objection and the external agency advisory objection or comment, the Department's objection would take precedence.

The County should address each of these objections when the amendment is resubmitted for our compliance review. Objections which are not addressed may result in a determination that the amendment is not in compliance. The Department may have raised an objection regarding missing data and analysis, items which the City considers not to be applicable to its amendment. If that is the case, a statement justifying its non-applicability pursuant to Rule 9J-5.002(2), F.A.C., must be submitted. The Department will make a determination as to the non-applicability of the requirement, and if the justification is sufficient, the objection will be considered addressed.

The comments which follow the objections and recommendations are advisory in nature. Comments will not form a basis for determination of non-compliance. They are included to call attention to items raised by our reviewers. The comments can be substantive, concerning planning principles, methodology or logic, as well as editorial in nature dealing with grammar, organization, mapping, and reader comprehension.

Appended to the back of the Department's report are the comment letters from the other state review agencies, other agencies, organizations and individuals. These comments are advisory to the Department and may not form a basis for Departmental objections unless they appear under the "Objections" heading in this report.

Objections, Recommendations, and Comments Report

for

Miami-Dade County Amendment 06-2

**I. CONSISTENCY WITH CHAPTER 163, F.S., AND RULES 9J-5 & 9J-11,
F.A.C.**

The Department has completed its review of the proposed Miami-Dade County Amendment 06-2 and has the following objections and comments.

OBJECTIONS

NON-AVAILABILITY OF POTABLE WATER SUPPLY

The County has not demonstrated that the proposed land uses, in Applications No. 2 and No. 7, will be supported by adequate potable water supply. The Department estimates that the maximum additional potential water demand from development of the two properties under the proposed future land use map designations, assuming the residential development option is exercised in both cases, would be as much as 0.518 mgd.

The County must demonstrate that it has available potable water supply to serve this increased demand in order to amend its FLUM to increase its total potential water demand.

Until the County is able to demonstrate that it has available potable water supply to serve the increased demand from the proposed land use amendments, it would be inappropriate to approve any such land use changes to the comprehensive plan which would entail increased water consumption.

The amendment also does not contain any changes to the Capital Improvements Element which may be needed to provide for new or modified water treatment facilities to serve the proposed land use changes.

Citations

Florida Statutes: ss. 163.3161(3); 163.3167(13); 163.3177(6)(a), (c), (d), and (h)1; and 163.3180(2)(a).

Florida Administrative Code: Rules 9J-5.005(2) and (5); 9J-5.006(3)(b)1; 9J-5.006(3)(c)3; 9J-5.011(1)(a) and (f); 9J-5.011(2)(b)2; 9J-5.011(2)(c)1; 9J-5.016(1)(a); 9J-5.016(2)(b), (c), and (f); 9J-5.016(3)(b)1, 3, and 5; 9J-5.016(3)(c)1.d, e, f, and g; and 9J-5.016(4)(a).

Recommendations

The County should not adopt the proposed land use changes until it can demonstrate the necessary coordination of land use approvals with an assured

supply of potable water. Revise the amendments to demonstrate coordination of the proposed land use changes with the planning and provision of potable water supplies. Identify any needed facility improvements for the 5- and 10-year planning time frame. These improvements should be coordinated with the Water, Sewer, and Solid Waste Element and the Capital Improvements Element, including implementation through the 5-year schedule of capital improvements for any facilities needed during that time frame.

IMPACT ON PUBLIC SCHOOLS

The potential residential development of Application No. 7 is likely to have an adverse impact on public schools. The County has not demonstrated that there is adequate existing or programmed capacity at vicinity schools for the additional students that would be generated by the proposed changes allowed by these applications.

Pursuant to the interlocal agreement between the School Board and Miami-Dade County, the local government, the developer, and the School Board are to collaborate on options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH utilization beyond a standard of 115 percent—in this instance, Broadmoor Elementary School and Miami Springs Senior High School. This collaboration on options to mitigate the potential impact on public schools has not taken place.

Citations

Florida Statutes: sections 163.3161(3) and 163.3177(6)(a)

Florida Administrative Code: Rule 9J-5.006(3)(b)1

Recommendation

Application No. 7 should not be adopted unless and until the applicant, Miami-Dade County, and the Miami-Dade County School Board reach agreement on mitigation for school impacts from the proposed land use amendment.

II. STATE COMPREHENSIVE PLAN

The above cited amendments do not further and are not consistent with the following goals and policies of the State Comprehensive Plan (Chapter 187, Florida Statutes):

Water Resources Goal and Policies 1, 2, 5, 9, 10, 11, and 14

Land Use Goal and Policies 1, 2, and 6

Urban and Downtown Revitalization Goal and Policies 6 and 12

Public Facilities Goal and Policies 1, 2, 7, and 10

Economy Policy 3

Plan Implementation Policy 8

Revise the amendment to be consistent with and further the referenced goals and policies of the State Comprehensive Plan. This may be accomplished by revising the amendment as recommended for the specific objections above.

Department of Community Affairs

Division of Community Planning

PREPARED BY:

Paul Dant

DATE:

8/14/06

SUBJECT:

Miami Dade Co. 06-2

MAILOUT DATE

8/14/06

* REFERRAL INIT. DATE *				* REFERRAL INIT. DATE			
	SECRETARY				DIVISION DIRECTOR-DCP		
	CHIEF OF STAFF				CHIEF COMP. PLAN		
	LEGAL			(2)	ADMINISTRATOR	<u>Do</u>	<u>8/14/06</u>
	PERSONNEL			(1)	PLANNER	<u>RPD</u>	<u>8-14-06</u>

COMMENTS:

ORC w/ Objections

PLEASE INDICATE SEQUENCE OF ROUTING